

Atty. Docket No. YOR92000054US1
(590.007)

REMARKS

Applicants and the undersigned are most grateful for the time and effort accorded the instant application by the Examiner. In the Office Action dated October 7, 2004, pending Claims 1-5, 7-13 and 15-18 were rejected and the rejection made final. The Office is respectfully requested to reconsider the rejections in view of the following remarks.

Of the pending claims, Claims 1, 10, and 18 are independent claims; the remaining claims are dependent claims. The pending claims stand rejected under 35 USC § 102(e) as being anticipated by Choukalos et al. The remarks in the prior Amendment with respect to Choukalos et al. are equally applicable here. It should be noted, however, in the outstanding Action the Examiner commented the specific particular limitations set forth in Applicant's remarks regarding "predetermined properties" were not recited in the claims. Accordingly, the independent claims have been rewritten to recite "predetermined functional, structural or electrical characteristics" (See Page 8, lines 8-10) consistent with those remarks. The dependent claims have also been rewritten to refer to "characteristic" or "characteristics" as appropriate. It should be noted Applicants intend no change in the scope of the claims by the changes made by these amendments and these amendments are not in acquiescence of the Office's position on allowability of the claims, but merely to expedite prosecution.

In view of the foregoing, it is respectfully submitted that independent Claims 1, 10, and 18 fully distinguish over the applied art and are thus allowable. By virtue of

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dependence from Claims 1 and 10, it is thus also submitted that Claims 1-5, 7-9, 11-13 and 15-17 are also allowable at this juncture. Applicants acknowledge that Claims 4-5, 7, 12-13, and 15 were indicated by the Examiner as being allowable if rewritten in independent form. Applicants reserve the right to file a new claims of such scope at a later date that would still, at that point, presumably be allowable.

The "prior art made of record" has been reviewed. Applicants acknowledge that such prior art was not deemed by the Office to be sufficiently relevant as to have been applied against the claims of the instant application. To the extent that the Office may apply such prior art against the claims in the future, Applicants will be fully prepared to respond thereto.

In summary, it is respectfully submitted that the instant application, including Claims 1-3, 6, 8-11, 14 and 16-18, is presently in condition for allowance. Notice to the effect is hereby earnestly solicited. If there are any further issues in this application, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,



Stanley D. Ference III
Registration No. 33,879

Customer No. 35195
FERENCE & ASSOCIATES
400 Broad Street
Pittsburgh, Pennsylvania 15143
(412) 741-8400
(412) 741-9292 - Facsimile

Attorneys for Applicants